

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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SHAW FAMILY ARCHIVES, LTD.,	:	
BRADFORD LICENSING, INC., JAMES E.	:	
DOUGHERTY, and VALHALLA	:	
PRODUCTIONS, LLC	:	05 CV 3939 (CM)
	:	
Plaintiffs,	:	
	:	Honorable Colleen McMahon
v.	:	
	:	
CMG WORLDWIDE, INC. and MARILYN	:	DECLARATION
MONROE, LLC,	:	
	:	
Defendants.	:	
	:	
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ROS BIDMEAD, being duly sworn, deposes and says:

Introduction

1. I am the General Manager of the Anna Freud Centre (the "Anna Freud Centre"), and I make this affidavit, except as expressly set forth herein, upon my own personal knowledge, and in opposition to Plaintiffs/Consolidated Defendants Cross-Motion for Summary Judgment.

2. Based in Hampstead, London, England, the Anna Freud Centre is a registered charity dedicated to excellence in child and adolescent mental health. We develop innovative psychotherapeutic treatments for children and adolescents with emotional and behavioral difficulties; evaluate these treatments; and ensure that the lessons learnt are spread.

3. As explained below, the Anna Freud Centre is a 25% owner of Marilyn Monroe, LLC ("MMLLC"). The Anna Freud Centre respectfully submits this declaration to provide the Court with important information about the activities of our charitable organization, as well as the history of our involvement with MMLLC. We have a vital stake in the outcome of this case

because a significant portion of our mental health services are funded by income derived from MMLLC.

The Anna Freud Centre

4. In 1940, Anna Freud, the youngest child of Dr. Sigmund Freud, created the Hampstead War Nurseries as a refuge for 80 to 100 children who had been left homeless by the bombings in London during World War II. After the war, there was a demand for greater expertise in child mental health and the treatment of childhood disorders, and in 1947, the nurseries became the Hampstead Child Therapy Training Course and Clinic, offering free psychoanalysis for disturbed children and establishing the world's first full-time training course in child psychotherapy. Over the years, the clinic's scope expanded to include a special nursery for blind children and pioneer research work, including the study of the particular needs of deaf, diabetic and adopted children.

5. In 1985, the clinic changed its name to the Anna Freud Centre to honor its founder, who passed away in 1982.

6. The Anna Freud Centre aims to be the leading psychoanalytic innovator and provider of mental health treatment to children and families in Europe. To this end, the Anna Freud Centre carries out innovative clinical programs and cutting-edge research, engages in national and international leadership concerning child mental health and research policy, provides training in psychoanalytically informed methods and offers advice to legal and childcare professionals concerning issues of diagnosis and management of complex cases. The Anna Freud Centre is part of a vibrant international network of academic excellence in social development and cognitive neuroscience and the integration of these within the general field of developmental psychopathology.

7. The Anna Freud Centre is formally affiliated with University College London and the Yale University Child Study Center and Baylor Medical College in the United States. The Anna Freud Centre undertakes shared programs of clinical services and research with the Yale University Child Study Center and Baylor Medical College which have direct benefit to children and young people in both the United Kingdom and the United States.

8. Our goal is to identify innovative ways of offering psychoanalytic help to children and families struggling with emotional and developmental disturbances. We intend these new treatment methods to provide models for services elsewhere, through clear descriptions of the treatments and evaluation of their effectiveness. The Anna Freud Centre's mission is to create effective partnerships with the National Health Service and other voluntary service providers in the community to enable childcare professionals to be ever more effective and efficient in the services they offer to families. We see services and training as closely tied in helping us attain the goal of improving the effectiveness of the service provision available to young children both in London and through our dissemination and training initiatives throughout the UK, Europe and other parts of the world.

9. A more complete description of our organization can be found at our website, www.annafreudcentre.org.

Our Relationship with MMLLC

10. The historical facts set forth in this paragraph, and in paragraphs 11 through 13 and 18 below have been related to me by our New York lawyers, and I thus believe them to be true: When Marilyn Monroe died in 1962, she bequeathed 25% of the residuary interest of her estate to Dr. Marianne Kris, "to be used by her for the furtherance of the work of such psychiatric institutions or groups as she shall elect."

11. Dr. Kris died on November 23, 1980. In her will, she directed as follows:

I give and bequeath all property which I have received or which I am entitled to receive under the Will of Marilyn Monroe, which I have not otherwise disposed of during my life, to THE HAMPSTEAD CHILD-THERAPY CLINIC, London, England [i.e., the Anna Freud Centre].

12. None of the property that Dr. Kris received or that she was entitled to receive from Marilyn Monroe's estate was "otherwise disposed" during Dr. Kris's lifetime.

13. In 1990, the New York Surrogate's Court confirmed that the Anna Freud Centre is the proper recipient of the 25% of the residuary interest that Ms. Monroe bequeathed to Dr. Kris.

14. On June 19, 2001, the Surrogate's Court of New York authorized the Administratrix c.t.a. of the Estate of Marilyn Monroe (the "Estate") to close the Estate and transfer the residuary assets to MMLLC, a Delaware corporation formed to hold and manage the intellectual property assets of the residuary beneficiaries. MMLLC was formed on July 5, 2001, and members' interests in the company were assigned as follows: (1) 25% to the Anna Freud Centre, and (2) 75% to Anna Strasberg, as Executor of the Estate of Lee Strasberg (and sole beneficiary of that estate).

15. As a result of its interest in MMLLC, the Anna Freud Centre receives 25% of MMLLC's revenue. Over the past several year, this revenue has amounted to, on average, approximately £300,000-£400,000, or US \$600,000-\$800,000, per year.

16. On average, the earnings from MMLLC have historically comprised approximately 20% of the Anna Freud Centre's annual operating income. The loss of these earnings would have a significant impact upon the range of services that the Anna Freud Centre could provide to the children and families it assists.

17. Prior to the 1990 Surrogate's Court order confirming the Anna Freud Centre's right to receive its bequest from Dr. Kris, the Anna Freud Centre had no connection to Marilyn Monroe, the Estate and its executors and administrators, or the Strasberg family.

18. I am informed that the Anna Freud Centre had no role in administering the Estate.

19. I understand from our counsel that plaintiffs in this lawsuit in New York are arguing that MMLLC should be bound by certain statements made by various entities and individuals in different proceedings concerning the domicile of Marilyn Monroe at the time of her death. I know of no occasion in which the Anna Freud Centre ever took the position or asserted that Marilyn Monroe was a New York domiciliary. In addition, I know of no occasion in which the Anna Freud Centre ever authorized anyone to speak on its behalf – or bind its interests as an owner of MMLLC – regarding Marilyn Monroe’s domicile, residence, or Right of Publicity.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 11th day of April, 2007, in London, England.

Ros Bidmead.

NOTARIES

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TO ALL TO WHOM THESE PRESENTS SHALL COME, I
MARK JOHN EVANS of the City of London
NOTARY PUBLIC by royal authority duly admitted and sworn

DO HEREBY CERTIFY that on the day of the date hereof
before me personally came and appeared ROSALIND
BIDMEAD the deponent named and described in the affidavit
hereunto annexed WHO in my presence by solemn affirmation
by her taken in due form of law affirmed and deposed to the
truth of the several statements matters and things mentioned and
contained in the said affidavit.

IN WITNESS WHEREOF I have hereunto set my hand and
seal of office at London, England this eleventh day of April two
thousand and seven.

